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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/829,511 | 04/22/2004 | Rangarajan Sundar | P1070 US | 7340 |
| 7590 12/31/2008 MEDTRONIC VASCULAR, INC 3576 UNOCAL PLACE SANTA, ROSA, CA 95403 | | | | |
| EXAMINER | | | | |
| DOWE, KATHERINE MARIE | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 3734 | | | | |
| MAIL DATE | | DELIVERY MODE | | |
| 12/31/2008 | | PAPER | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

1. The reply filed on September 22, 2008 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

- a. Applicant does not address the rejection of claims 1-10 and 33 on the ground of nonstatutory obvious-type double patenting as being unpatentable over claims 1-20 and 33 of copending Application No. 10/827,817
- b. Applicant does not completely address the rejection of claims 1-10 and 33 under 35 U.S.C. 102(f) because Applicant does not discuss the inventorship of Peiwen Cheng. The affidavit submitted indicates both Peiwen Cheng and Rangarajan Sundar are inventors and thus the inventorship of the instant application must be amended accordingly.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to KATHERINE M. DOWE whose telephone number is (571)272-3201. The examiner can normally be reached on M-F 8:30am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jackie Ho can be reached on (571) 272-4696. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3734

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Katherine Dowe
December 15, 2008

/K. M. D./
Examiner, Art Unit 3734

/(Jackie) Tan-Uyen T. Ho/
Supervisory Patent Examiner, Art Unit 3773